IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 23661 of 2004

Between:

Smt. B. Sarada, W/o. K. Maheswar Reddy,
Resident of D.No. 5/19, P. Chintalapalli Village,

Putlur Mandal, Chittoor District.

..... PETITIONER

AND

1 The Joint Collector, Anantapur.
2 The Revenue Divisional Officer, Anantapur.
3 The Mandal Revenue Officer, Putlur Mandal, Anantapur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or direction declaring the action of the 1st respondent in not passing any orders on the stay petition filed along with the appeal dated 4-12-2004 as illegal, arbitrary and consequently stay the orders of the 2nd respondent in Rc.D1/CS/1738/2004 dated 4-12-2004 pending disposal of the appeal before the 1st respondent.

Counsel for the Petitioner:MR.O.MANOHER REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following ORDER:

The authorization of the petitioner was suspended by the second respondent through a show cause notice-cum-suspension order dated 04.12.2004. The petitioner claims to have preferred an appeal against the same before the first respondent. Alleging that no orders have been passed either in the application for stay or in the appeal, the petitioner approached this Court by filing the writ petition.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The second respondent had framed as many as 10 charges against the petitioner in the show cause notice-cum-suspension order. The truth or otherwise of the same needs to be considered only on perusal of the record. It is too difficult for this Court either to record any finding or to come to a *prima facie* conclusion as to the truth of the same. Inasmuch as the petitioner has already availed the remedy of appeal, this Court is not inclined to interfere at this stage.

Hence, the writ petition is disposed of directing the first respondent to pass appropriate orders in the appeal preferred before him by the petitioner within six weeks from the date of receipt of a copy of this order. No order as to costs.

20.12.2004

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To

1 The Joint Collector, Anantapur.
2 The Revenue Divisional Officer, Anantapur.
3 The Mandal Revenue Officer, Putlur Mandal, Anantapur District.

4 Two CCs to the Government Pleader for Civil Supplies, A.P.High Court Buildings, Hyderabad (OUT).

5 Two CD copies.